

Message

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Sent: 12/8/2017 9:15:52 PM
To: Beck, Nancy [Beck.Nancy@epa.gov]
Subject: States Explore Priorities for E-Enterprise, Shaw & Rodriquez Testify on Hill, & More

States Explore Priorities for E-Enterprise, Shaw & Rodriquez Testify on Hill, & More

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States Meet to Explore Priorities for E-Enterprise for the Environment

This week, a group of state representatives met in Wilmington, Delaware, to discuss their E-Enterprise for the Environment short- and long-term vision and priorities. Discussion built upon the E-Enterprise blueprint principles and components.

The group identified areas of focus and identified actions and needs to bring back to the E-Enterprise and Exchange Network Management Board and Interoperability and Operations Team for further discussion.

Participating states included Arkansas, Arizona, Colorado, Delaware, Massachusetts, New Hampshire, New Mexico, Oklahoma, and Wyoming. Tom Burack, a former EELC State Co-Chair, provided support along with ECOS and other supporting staff.

States will share input with U.S. EPA and tribes in the coming weeks. [Graves]



Bottom row (l to r): Mary Montoya of NM, Beth Graves of ECOS, Victoria Phillips of MA, Steve Girt of WY, Tom Burack (supporting), Bob Zimmerman of DE.
Top row (l to r): Josh Kalfas of OK, Kurt Rakouskas of ECOS, Gary Heller of AZ, Louis Sweeney (supporting), Chris Simmers of NH, Mitch Rouse of AR, Colleen Gause of AR, Andy Putnam of CO.

House Funds Federal Government through December 22

The House of Representatives on December 7 passed a short-term continuing resolution (CR) to fund the federal government through December 22. The measure, which funds the government at FY17 levels, passed on a 235 to 193 vote. It is expected to pass the Senate and be signed by President Trump prior to the expiration of the current CR on December 9.

Congressional leaders from both parties met December 7 at the White House for negotiations on an FY18 omnibus spending bill – a necessity as a bill cannot pass on a party-line vote. However, both parties' firm stances on their priorities for the omnibus make it uncertain whether one will pass before an additional CR becomes necessary. [McAleer]

Shaw, Rodriquez Testify in Senate on Waste Cleanup Challenges following Natural Disasters

This week, ECOS member Bryan Shaw of Texas testified before Congress a third time this fall about hurricane environmental response, this time along with ECOS colleague Matthew Rodriquez of California.

Shaw and Rodriquez appeared before the Senate Environment and Public Works Subcommittee on Superfund, Waste Management, and Regulatory Oversight at a hearing entitled *Challenges Facing Superfund and Waste Cleanup Efforts Following Natural Disasters*.

Both ECOS members emphasized the successful federal-state partnerships to protect human health and the environment in the wake of hurricanes and fires alike. [Piper]



Secretary Rodriguez (left) and Chairman Shaw at Senate EPW Hearing.

U.S. EPA Seeks State Input on Draft FY 2018 Regional Performance Commitments

U.S. EPA has shared with ECOS its [draft FY 2018 regions-to-headquarters performance commitment reports](#) for state feedback.

These draft commitments are for specific performance measures associated with the final FY 2018-2019 National Program Manager Guidances released in September 2017. The draft commitments reflect state performance contributions to these measures. Regional reports to EPA headquarters include individual draft state performance contributions, where available. Only measures negotiated between EPA headquarters and Regions appear (non-commitment indicators without targets do not appear). States are encouraged to provide input to their EPA regional office by December 15.

The NPM Guidances, along with the schedule for finalizing commitments, can be found [here](#). Note that the reports do not include draft commitments for the Office of Enforcement and Compliance Assurance (OECA) measures. Those commitments will be made at a later date. Questions regarding OECA's commitment setting schedule can be directed to [Michele McKeever](#) of EPA or to your Regional OECA contacts.

All other questions can be directed to [Beth Burchard](#) of EPA's Office of the Chief Financial Officer. [McAleer]

Pruitt Touts Cooperative Federalism Agenda in House Testimony

Testifying December 7 before the House Energy & Commerce Committee's Subcommittee on Environment regarding U.S. EPA's "Back to Basics" agenda, Administrator Scott Pruitt cited restoring power to the states through cooperative federalism as one of the agency's priorities. Other goals of the agenda, Pruitt said, are refocusing the agency on its core mission and leading the agency through improved processes and adhering to the rule of law.

“EPA needs to be a better partner to the states, which all have unique challenges and needs when it comes to meeting environmental goals,” Pruitt said. “An important aspect of becoming a better partner is recognizing that a one-size-fits-all strategy to achieve environmental outcomes has not, and will not, work. For example, as the agency continues the process of defining ‘Waters of the United States,’ I have traveled to over 27 states in order to get different perspectives, to hear from people about how this rule affects different parts of the country. ... This type of top-down regulation does not foster a cooperative relationship with the states that Congress intended in the Clean Water Act.”

Pruitt also noted that the agency intends to propose a new Clean Water Act jurisdiction rule by April.

Pruitt’s testimony is available [here](#). [Parisien]

Senate Confirms Bodine to Lead U.S. EPA OECA

The Senate on December 7 confirmed Susan Bodine to be U.S. EPA's Assistant Administrator for Enforcement and Compliance Assurance. Among other high-ranking positions, Bodine has served as Chief Counsel for Senate Environment and Public Works Committee and Assistant Administrator for Solid Waste and Emergency Response in the George W. Bush Administration.

Since September, she has worked as a Senior Advisor to EPA Administrator Scott Pruitt. [Parisien]

U.S. EPA, ECOS, ITRC, and Others Take Action on PFAS

U.S. EPA [announced](#) on December 5 plans to launch a cross-agency effort to address per and polyfluoroalkyl substances (PFAS), a diverse group of compounds that are persistent in the environment and resist degradation. The effort will be led by the agency's Offices of Science Policy and Water, and aims to identify near-term actions EPA will take to support local communities; increase research; and enhance coordination with states, tribes, and federal partners.

This effort coincides with other actions states and organizations are taking to address this national area of environmental concern. ECOS is working with states, the Association of State and Territorial Health Officials, and EPA to create case studies on communicating risks of PFAS. ECOS and EPA also share a PFAS workgroup comprised of state and federal partners seeking to share best practices in dealing with PFAS. The Interstate Technology and Regulatory Council recently released several fact sheets designed to help state regulatory program personnel effectively inform and make timely decisions regarding PFAS.

For more information on PFAS, see here. [Longsworth]

U.S. EPA Opts Not to Issue Financial Responsibility Rules for Hardrock Mining

U.S. EPA announced December 1 that it will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements, address risks from operating hardrock mining facilities," said EPA Administrator Scott Pruitt. "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) on January 11, and the public comment period closed on July 11. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1.

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," said Todd Parfitt, Director of Wyoming Department of Environmental Quality.

ECOS was involved in discussions surrounding the rulemaking but did not take a formal

position. A pre-publication version of this action may be viewed [here](#). [Parisien]

Phoenix Awards Recognize Brownfields Excellence

Real estate developers, environmentalists and other public and private sector professionals were honored on December 6 in Pittsburgh, Pennsylvania, at an awards ceremony during [Brownfields 2017](#), an annual training conference cosponsored by U.S. EPA and the International City/County Management Association. The Phoenix Awards Institute, Inc. and its award sponsor, ALCOA, hosted the event to celebrate accomplishments on 12 projects that bring back communities by leveraging downtown and community revitalization, knowledge corridors for job growth, waterfront redevelopment projects, wetlands restoration, flood control projects, healthcare, job training, and community centers. ECOS provided staff support to the Phoenix Awards preparation and program.

The 2017 winners for each region are:

- Region 1: Springfield Union Station, Springfield, Massachusetts
- Region 2: Berry Lane Park, Jersey City, New Jersey
- Region 3: Pennovation Center, Philadelphia, Pennsylvania
- Region 4: Lake Conestee Nature Park, Greenville, South Carolina
- Region 5: Big Marsh, Chicago, Illinois
- Region 6: Orleans Juvenile Justice Center, New Orleans, Louisiana
- Region 7: New Bohemia District Redevelopment, Cedar Rapids, Iowa
- Region 8: Crossroads Commerce Park, Denver, Colorado
- Region 9: DLA San Joaquin Tracy Site, Tracy, California
- Region 10: Tillamook County Southern Flow Corridor, Tillamook, Oregon

There were also Community Impact Awards (Hamilton Health Center, Harrisburg, Pennsylvania and Jimmy John's Field, Utica, Michigan), a Grand Prize Award (Springfield Union Station, Springfield, Massachusetts), a First Runner Up Award (Lake Conestee Nature Park, Greenville, South Carolina), and a People's Choice Award (Jimmy John's Field) that was selected by more than 1,000 conference attendees. [Longworth]

State Communications Leads Sought for New ECOS Community of Practice

ECOS invites all members to provide the contact information for their agency's lead communications expert to become part of our new Communications Community of Practice. In accordance with [ECOS President Todd Parfitt's 2017-2018 priorities](#), ECOS is launching this virtual learning community for state communications professionals to share best practices, success stories, challenges, and transferable lessons.

It is anticipated that once all contacts are identified, the group may have three calls per year and also use one another as resources to share questions and information. The group also will periodically interface with U.S. EPA communications leads from headquarters and the Regions.

Contact information for your state expert may be sent to [Nia Duke](#). [Duke]

Reserve at Minnesota Hotel Now to Get a Head Start for the ECOS Spring Meeting

Watch *ECOSWIRE* later this month for a draft agenda and registration information for the March 20-22 ECOS Spring Meeting in St. Paul, Minnesota on *Getting to Results!*

In the meantime, get a jump on the crowd by reserving your hotel room. Call The Saint Paul Hotel at (800) 292-9292 and mention the **ECOS Spring Meeting** to receive the group rate. The special ECOS group rates of \$149 (government and staff room) and \$169 (deluxe room) plus tax are available until **February 19** or sellout of the room block, whichever is sooner. ECOS room nights include March 19, 20, and 21, with limited availability March 22. Check-in time is 4 p.m., and check-out time is noon. Cancellations must be made by 4 p.m. the day prior to arrival to avoid a no-show charge.

Sponsorship opportunities are available. Please contact [Lia Parisien](#) to discuss sponsorship. [Parisien]

State News You Can Use

[North Carolina Brownfields Program Celebrates 20 Years](#)

[Tennessee Annual Report Highlights Air and Other Successes](#)

[Pennsylvania Revives Solar Initiatives to Boost Clean Energy Jobs](#)

[Texas Governor Selects TCEQ to Distribute \\$209 Million in Automakers' Settlement Funding](#)

ECOS Resource of the Week

ITRC 2018 Online Trainings

The Interstate Technology & Regulatory Council's 2018 online training schedule is now available. Kicking off the year are:

- **January 9:** Remedy Selection for Contaminated Sediments
- **January 11:** Long-term Contaminant Management Using Institutional Controls
- **January 23:** Groundwater Statistics for Environmental Project Managers
- **January 25:** Petroleum Vapor Intrusion: Fundamentals of Screening, Investigation, and Management

See this website for more information and the full schedule.

[Bodi]

Need-to-Know News in Air, Water, & Chemicals and Emerging Contaminants

EPA Announces Additional Public Listening Sessions on Proposed Repeal of CPP

Area of Focus: Air

U.S. EPA has announced three additional public listening sessions on the proposed repeal of the Clean Power Plan. The sessions will be in San Francisco, CA, Gillette, WY, and Kansas City, MO.

“Due to the overwhelming response to our West Virginia hearing, we are announcing additional opportunities for the public to voice their views to the agency,” said EPA Administrator Scott Pruitt.

Public listening sessions will center on EPA’s proposed repeal of the Carbon Pollution

Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (commonly known as the Clean Power Plan). Dates and specific locations will be released in coming weeks; please see the website for details. All individuals wishing to speak are encouraged to register in advance.

Registration information will be posted on EPA's website. [Poole]

Trump Names Pruitt to Chair Gulf Coast Ecosystem Restoration Council

Area of Focus: Water

On December 6, President Donald Trump appointed U.S. EPA Administrator Scott Pruitt as the new Chair of the Gulf Coast Ecosystem Restoration Council. Administrator Pruitt was appointed following his unanimous selection by the five states on the council: Alabama, Florida, Louisiana, Mississippi, and Texas.

The Council is responsible for helping to restore the ecosystems and economies of the Gulf Coast region from the *Deepwater Horizon oil spill*. Pruitt succeeds the U.S. Secretary of Agriculture, who began serving as the council's Chair in March 2016.

Pruitt has tapped Kenneth Wagner, Senior Advisor to the Administrator for Regional and State Affairs, to serve as his designee on the Council. [

PBT Comment Period Extended

Area of Focus: Chemicals and Emerging Contaminants

U.S. EPA announced Wednesday that it is extending the public comment period to receive information on the five persistent, bioaccumulative, and toxic (PBT) chemicals that are subject to Section 6(h) of the Toxic Substances Control Act (TSCA), which requires EPA to take expedited regulatory action to address risks from certain PBT chemicals. Comments are now due **January 12, 2018**.

EPA is interested in information on uses, exposed populations, and products containing or alternatives to the following chemicals:

- Decabromodiphenyl ethers
- Hexachlorobutadiene

- Pentachlorothiophenol
- Phenol, isopropylated, phosphate (3:1)
- 2,4,6-Tris(tert-butyl) phenol

For more information, see [here](#). [Longworth]

ECOS Member News

Ehm to Serve as ECOS Region 7 Executive Committee Representative

ECOS member Bill Ehm of Iowa will fill the unexpired term of recently elected ECOS Secretary-Treasurer Jim Macy of Nebraska as Region 7 ECOS Executive Committee Representative. Ehm's term runs until the conclusion of the 2018 Fall Meeting, at which point he will be eligible for his own two-year term as Regional Representative, should the Region 7 states so agree. [Parisien]

E-Enterprise for the Environment

E-Enterprise

Project Update: E-Enterprise Partner Profile Inventory

The E-Enterprise Partner Profile Inventory project team has completed preliminary designs of its online inventory tool and collected its first round of feedback sessions with potential users.

The state-tribal project steering committee has been working with a team from Ross Strategic since March to scope and design an online community and living project

inventory. The inventory will contain a broad scope of information, including partner agencies' information technology infrastructure, data exchange nodes and flows, process improvement efforts, and other program modernizations (e.g. advanced monitoring).

The online inventory portal will be a place where users can go to ask questions of their peers and to find members of other state and/or tribal agencies who might be working on similar projects. The team expects to begin seeking feedback from additional users in the near future.

For more information and if you are interested in participating, please contact [Owen McAleer](#) of ECOS or click [here](#). [McAleer]

ITRC

[Interstate Technology and Regulatory Council](#)

ITRC Releases Guidance Document on Fractured Rock

ITRC is pleased to release its newest guidance document: *Characterization and Remediation of Fractured Rock*. The guidance addresses significant advances in skills, tools, and lessons learned in understanding contaminant flow and transport in fractured rock environments. If the unique characteristics of fractured rock sites are understood, then modern tools and approaches can be applied to successfully set and meet characterization and remediation goals at these sites.

Access the document [here](#). Please join the Fractured Rock Team's first online training class, scheduled for **February 22, 2018**. [Bodi]

Career Opportunities

ECOS RFP Seeks E-Enterprise and Exchange Network Coordinator

On behalf of the E-Enterprise for the Environment and Exchange Network Management Board and Interoperability and Operations Team, ECOS is seeking an experienced, highly motivated, self-employed contract professional with strong collaboration skills to serve as the E-Enterprise and Exchange Network Coordinator.

Proposals are due **January 5, 2018 at 5 p.m. Eastern**. Click [here](#) for details. [Parisien]

Wisconsin Hiring Air Program Office Manager

The Wisconsin Department of Natural Resources is seeking applicants for the position of [Office Manager for the Air Program](#). The successful applicant will provide professional programmatic, financial, and administrative support throughout the state to Air Program staff and direct administrative support to the Program Director and Management Team. [Hanson]

Upcoming Events

Calls

Toxic Substances Reduction Workgroup/PFAS Workgroup

ECOS' Toxic Substances Reduction Workgroup will hold its next monthly call on **December 12 at 3-4 p.m. Eastern**. The call will overlap with the ECOS-U.S. EPA PFAS Workgroup for 30 minutes; participants are invited to stay on the phone until 4:30 p.m. to engage in both calls.

The toxic substances call will first feature a recap from U.S. EPA on its [two December public meetings](#), which will cover the agency's progress in implementing changes to the

New Chemicals Review Program and approaches for identifying potential candidate chemicals for EPA's prioritization process under the Toxic Substances Control Act. States that were not able to attend the EPA webinars will have the opportunity to ask questions and provide input.

At 3:30 p.m., the ECOS-EPA PFAS Workgroup will join the call for discussions of the new Michigan Executive Directive on PFAS and Washington State's PFAS action plan. Although the call ends at 4 p.m., toxic substances workgroup participants are invited to participate in the remaining part of the PFAS workgroup call until 4:30 and hear about more state PFAS initiatives.

An agenda will be sent soon. Email [Sarah Grace Longworth](mailto:Sarah.Grace.Longworth@ecoc.org) of ECOS with questions or to express interest in participating. [Longworth]

December All-Member Call

ECOS will hold its final 2017 All-Member Monthly Call on **December 14 at 3-4 p.m. Eastern** on data and analytics.

Please mark your calendars now. An agenda with dial-in information will be emailed to all ECOS members prior to the call. [Swanson]

Webinars

ECOS on ECHO Improvements

ECOS, as part of a joint governance effort with U.S. EPA under E-Enterprise for the Environment, has convened a workgroup of state representatives to identify potential improvements to the display, usability, and accuracy of EPA's Enforcement and Compliance History Online (ECHO) website. The state Co-Chairs are Mark Hildebrand and Sherri Tilley of Oklahoma, and the EPA Co-Chairs are John Dombrowski and Matt Leopard. The team's conversations have identified a number of possible enhancements to improve the user experience and the display of facility compliance history.

In advance of the webinars, participants can learn more from this [summary document](#). Please note that the changes are proposals only at this point. The team requests that

comments, questions, and markup of the document be sent to [Layne Piper](#) of ECOS.

The team also invites input on a brief set of questions regarding preferences for a specific set of display and labeling options. Please click [here](#) to participate.

Two identical webinars on **December 12 and January 11 at 12-2 p.m. Eastern** will address the proposed changes with the co-regulator community. [Register here](#), and you will receive instructions on calling into the conference line. [Piper]

U.S. EPA and Corps on WOTUS

U.S. EPA and the Department of the Army invite their regulatory partners to a webinar on progress toward updating the definition of Waters of the United States (WOTUS). This webinar is limited to tribes, states, and local governments; their associations; and other federal agencies. The webinar will be held **December 12 at 1-2 p.m. Eastern**.

During the webinar, the agencies will provide an update on its:

- Proposal to change the effective dates of the 2015 rule;
- Step 1 proposal to reinstate the legal *status quo* prior to the 2015 Rule; and
- Progress on Step 2 – developing a new definition for “Waters of the United States,” including a discussion on what we have heard from stakeholders throughout the listening sessions.

To register, click [here](#). [Piper]

Exchange Network on Grant Applications

In support of the FY 2018 Exchange Network (EN) Grant cycle, U.S. EPA is hosting webinars to assist interested applicants. The remaining two webinars will be held **December 12 and January 10 at 1-2 p.m. Eastern**. Topics will include a summary of the FY 2018 EN Grant program, new and modified solicitation notice content, administrative procedures for submitting applications, tips on writing a high-quality application, and a question and answer session for potential applicants.

To participate, call (866) 299-3188 and use conference code 2025660466#, and access this [webinar link](#). An Adobe Connect account is not required to enter the webinar, and

participants can simply log in as a guest.

For more information, please contact EPA's [Salena Reynolds](#). [McAleer]

U.S. EPA on Drinking Water Issues

U.S. EPA's Office of Research and Development and Office of Water host a monthly [webinar series on small drinking water systems](#). The last webinar of the year will be held on **December 12** and address Residual Chlorine and Calibration Check for Chlorine Instruments.

More information on the small systems webinars, including recordings of past webinars and how to register, is available [here](#). [Hanson]

U.S. EPA Tools and Resources Webinar

U.S. EPA will hold its next monthly Tools and Resources Webinar on **December 13 at 3-4 p.m. Eastern**. The call will center on the [Causal Analysis/Diagnosis Decision Information System \(CADDIS\)](#), an online resource that helps scientists find, organize, and use information to determine the likely causes of adverse biological effects in aquatic ecosystems.

EPA will highlight case studies in states that have used the tool and describe its uses for analyzing data and identifying common stressors (including physical habitat, nutrients, metals, pH, toxic substances and temperature).

To register, click [here](#). [Longworth]

Exchange Network on Agile Development

Please join the Exchange Network on **December 18 at 2-3:30 p.m. Eastern** for an Open Call on Agile Development. The call will feature a case study of how Agile project management helped a small team of complete strangers from the Pennsylvania Department of Environmental Protection and the private sector rapidly develop a prototype mobile application that helps the public learn more about the local environment.

To participate, call (866) 299-3188 and use conference code 2025660248#, and access this [webinar link](#). [Parisien]

NEWMOA and NERC on C & D Materials Management & Markets in the Northeast

The Northeast Waste Management Officials Association (NEWMOA) and Northeast Recycling Council (NERC) will host a webinar on Construction & Demolition (C&D) Materials Management and Markets in the Northeast on **January 17 at 2-3:30 p.m. Eastern**.

The discussion will center on two main areas:

- The results of NEWMOA's recently released analysis of data collected by the environmental agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont on architectural C & D materials disposal, processing, and recovery for reuse and recycling.
- The results of a Massachusetts Department of Environmental Protection (MassDEP) funded study that evaluated the current and future status of C&D debris management in Massachusetts, and identified and recommended potential opportunities for the diversion of a greater proportion of recyclable materials to recycling markets. NERC administered and contracted with DSM Environmental Services to conduct the project. MassDEP has established a goal of diverting 50 percent of C&D materials from disposal, but in recent years the actual diversion rate has plateaued at around 30 percent. The primary objective of the analysis undertaken by DSM was to first assess incoming and outgoing materials at Massachusetts C&D processors and handling facilities, and to determine what the opportunities and constraints are to increase materials diversion beyond 30 percent.

Register for the webinar [here](#). Please reach out to [Connor MacCartney](#) with any questions. [MacCartney]

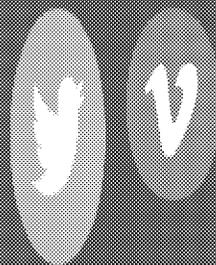
ECOS on 2018 Clean Water SRF

On **January 30 at 2-3:30 p.m. Eastern**, ECOS will host a webinar to highlight three states' innovative uses of Clean Water State Revolving Funds (CWSRF). The three

featured projects demonstrate unique uses and dispersion of CWSRF funds, and offer valuable case studies that will build state capacity and knowledge.

See [this flyer](#) for more information on the presentations from Idaho, Iowa, and Massachusetts. The webinar is the product of a research project to document the flexibilities of the CWSRF. ECOS is working under a cooperative agreement with U.S. EPA's Office of Water.

Register [here](#) for the webinar, or contact [Layne Piper](#) for more information. [Piper]



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